



# TOWN OF BERWYN HEIGHTS

## Prince George's County, Maryland

Incorporated in 1896 ~ Sixth Oldest Municipality in PG County

### WORKSESSION MINUTES JANUARY 13, 2014

The meeting was called to order at 7:00 p.m. Present were Mayor Chye Calvo, Mayor Pro Tem (MPT) James Wilkinson, and Councilmembers (CM) Rose Almo, Patricia Dennison and Jodie Kulpa-Eddy. Also present were town administrator (TA) Edward Murphy, Clerk Kerstin Harper, Berwyn Heights Volunteer Fire Department Rescue Squad President James Hurley and Chief Danny McCoy, C.P. Johnson engineer Gary Dyson, as well as Representatives for the Greenbelt Station south Justin Frye and north core, Garth Beall.

#### 1. MAYOR

**Announcements:** There were none.

**Calendar:** The tentative date for the Student Mock Town Council meeting of April 7 needs to be confirmed with Berwyn Heights Elementary School.

**Minutes:** On a motion by CM Dennison and second by MPT Wilkinson, the December 16 worksession minutes were approved 5 to 0.

**Department Reports:** Mayor Calvo reported that he will serve on an advisory committee for Governing Magazine, which will hold a free leadership seminar for and local officials on March 27 in College Park. Berwyn Heights councilmembers and employees are invited to attend. In Police Department news, the crime report is good. During the first week of January, there was a scheduled 4-hour break in BHPD service, which passed without incident.

MPT Wilkinson reported that he was asked to speak at the January 23 BHES PTA meeting about school safety issues. This is a followup to the policies and procedures implemented after the Sandyhook school shootings last year. The Public Works crew was ready to clear snow during 2 recent snow events.

CM Dennison announced the winners of the annual holiday decorating contest: Best House - Nylsa Ryan, 8900 58th Avenue; Best Yard - Michael Chismar, Jr. of Cunningham Drive; Best Overall - Juan and Norman Pineda of 8711 58th Avenue.

**Citizen Comments:** MPT Wilkinson had an email exchange with a resident about trash removal during snow days. CM Almoguera received a thank you message naming the new meeting room after former Town Librarian Geraldine Love and a suggestion to have a ribbon-cutting in spring. Mayor Calvo had a conversation with home owner on Ruatan Street, whose home has been undergoing construction for over a year. He informed them that the neighbors are inconvenienced but continued work. He also received a suggestion that a system be set up at the Town office to post pictures of runaway dogs so that they can be viewed and identified by other Town residents.

**Berwyn Heights Volunteer Fire Department:** Mayor Calvo welcomed BHVFD President James Hurley and Fire Chief Danny McCoy, who assumed leadership of the fire station last year. Mr. Hurley thanked the Council for the invitation. He explained that, as President, he is chairing the board of directors, which handles most of the administrative work of the Fire Department. Chief McCoy, who previously served 9 years as assistant chief, oversees the operational side. Mr. Hurley said the BHVFD is widely regarded as one of the best-run fire stations in the County. It has been able to manage its operations without shortfalls and staff cutbacks and respond to 100% of calls it was dispatched to. However, securing funding and recruiting and retaining volunteers has become more difficult, and the BHVFD has reached a point where it must make some strategic decisions to ensure its continued existence.

Mr. Hurley said that revenues from the local fund drive have continued their gradual decline. More importantly, a review of the last budget showed the BHVFD's principle source of funding, ambulance billing, declining significantly after Prince George's County adopted a new billing system last year. To keep those revenues and to ensure continued coverage, the Department plans to replace its more than 10 years old ambulances at a price of \$160,000 - \$200,000 each. In addition, the house is showing wear and tear from the constant use of 13 volunteers, who staff it year round. In short, it is getting more difficult for the BHVFD to make ends meet.

Mr. Hurley continued that the BHVFD is looking for a stronger relationship with the Town to allow for better long term planning and financial stability. Their preferred model is the City of Greenbelt, which appropriates the fixed sum of \$88,000 for its fire department every year. The money is set aside in different accounts enough money has accumulated to purchase a needed piece of equipment or make a needed investment. Greenbelt's city council oversees the money and must have final approval for any expenditures. The importance of such an arrangement lies in adding a stable source of revenue for the BHVFD, not in the amount of money appropriated. The BHVFD hopes to learn if the Town is interested in such a relationship.

Mayor Calvo said he sees the landscape of fire fighting changing, with volunteer fire companies fading and the County's career fire departments taking on more responsibilities and receiving more funding. The strength of the BHVFD seems to be the exception to the rule. Further, the focus of fire departments appears to be shifting away from fighting fires to emergency rescue missions. He asked how the BHVFD is adjusting to the changes.

In the ensuing question and answer session, Mr. Hurley and McCoy said that the BHVFD, in many respects, is an exception to the general trends. It has been able to attract enough volunteers to respond to the high volume of calls it receives. However, this is tied to the apparatus the company maintains. For example, the BHVFD has added a technical rescue unit, which responds to many accidents that occur on the Beltway and the BWI Parkway. Without the apparatus it would not attract the volunteers it needs. The proportion between fire fighting and rescue missions is about 60% to 40%, whereas it is 20% to 80% nationally. BHVFD has been affected by staffing cuts of career fire fighters at neighboring volunteer fire stations. BHVFD now covers some of Branchville's and Riverdale's response areas, when no career fighters are on duty, and is preparing for an eventual cut of career fighters in Berwyn Heights. While Prince George's County has not pushed the volunteer companies to merge, it has used its resources to build new fire stations staffed by career fighters elsewhere.

Mr. Hurley gave an overview of the BHVFD budget, which fluctuates between \$280,000 - \$300,000.

Revenues are as follows:

- \$80,000 - \$100,000 fluctuating ambulance billing receipts
- \$52,000 - investment income
- \$40,000 - rental income from two properties, which houses mostly fire fighters
- \$30,000 - State Amos contributions administered by Prince George's County
- \$20,000 - Prince George's County Presidents' fund
- \$15,000 - Berwyn Heights fund drive, including Westchester Park (down from \$20,000)
- \$15,000 - City of College Park contribution
- \$5,000-\$10,000 - City of Greenbelt fluctuating contribution
- \$1,000 - Town of Berwyn Heights contribution

- \$15,000 - Christmas tree sales and other miscellaneous receipts

#### Expenditures:

- \$160,000 - apparatus debt service
- \$120,000 - miscellaneous expenditures

Mayor Calvo commented that the volunteer companies are finding themselves in a difficult situation because the career fire fighters have more influence with County government, which results in tax dollars being spent in areas other than those served by volunteer companies. There is no question in his mind that the E has great value to the Town, part of which is the pride that comes from having the best fire station in the County; the question is how to structure this relationship asked what the company most needs, apart from day to day operating requirements.

Mr. Hurley and McCoy replied that, long-term, they need a better facility that has more rooms for its members. They are exploring all options, from renovating existing fire house to building a new station on a property they now own, to leveraging their property to buy a new property on which to build a larger station. Options also include negotiating with parties interested in hosting a fire department, such as the developers of Greenbelt Station. They recently met with the Greenbelt Station developer to explore locating a new station in the south core, which were productive but limited. Any deal would have to be mutually beneficial and help the developer sell properties. If the FBI headquarters relocates to Greenbelt Station's north core, BHVFD would have first call, with everything else remaining is.

Mayor Calvo thanked Mr. Hurley and McCoy for coming in to discuss the BHVFD situation. He considers this to be a starting conversation on how to best help the company stay in business and in the Town.

At 8:25 p.m., the Council took a 10 minute break.

**63rd Avenue sidewalks revised design:** Mayor Calvo welcomed Gary Dyson of C.P. Johnson Engineers, who prepared the preliminary design for the sidewalk on the 8900 block of 63rd Avenue. TA Murphy explained that the 5' wide sidewalk and 3' green space will be entirely in the public right-of-way. Sidewalks can be constructed either with a retaining wall, where the property has a steep slope, or by grading the slope back 10' into the property, which will require an easement from the E. If the grading option is chosen, the total disturbed area from sidewalk construction will exceed 50,000 square feet, and will put the project over the limit for exemption from the County's stormwater offset requirement. The grading option would be cheaper than the retaining wall, if the stormwater mitigation is taken into the equation. Further, the Berwyn Presbyterian Church requested replacement of the existing stairs and walkway to the church front door with an ADA accessible ramp.

Mayor Calvo said that the project only adds approximately 1,100 square feet of paved surface. The disturbed area from grading the slope would remain unpaved and be able to absorb stormwater. He thinks this may be an issue that can be negotiated with the County, since the Town has already agreed to build a stormwater mitigation project at the Public Works yard that appears to meet with County approval. He plans to contact the Director of the Department of Environmental Resources (DER) to come to an agreement but needs precise information on the amount of paved as opposed to disturbed area created by the project.

MPT Wilkinson asked TA Murphy to ascertain if the Safe Routes to School grant would pay for a stormwater mitigation project. He also noted that the proposed ramp will not line up with the entrance to McDonald's and people may cut through the grassy area. Further he asked that McDonald's should be reminded to make the property more pedestrian friendly if plans to upgrade the restaurant are implemented. He then moved for the Council to approve the proposed design with the ramp and graded slope, subject to obtaining an easement from the Church, and a waiver for stormwater mitigation from the County. CM Almoguera seconded the motion passed 5 to 0.

**Priority I sidewalks update:** TA Murphy explained that the Town needs to get approval from the County for the stormwater mitigation project at the Public Works yard to move forward with the priority I sidewalks project. One step in the approval process is sending a letter of notification about the stormwater mitigation project to residents, who live on the streets where the sidewalks will be built. The Council instructed TA Murphy to send the notices.

**Greenbelt Station development - SHA access permit:** Mayor Calvo welcomed Justin Frye of the Woodlawn Development Group, who serves as project director for the south core development, and Garth Beall representing the north core developers. He stated for the record that the Council received a briefing on proposed revisions to the Greenbelt Station conceptual site plan at the last worksession. One of the concerns raised, was that SHA was holding up the permit for the connector road to access Greenbelt Road, which has delayed the start of construction.

Mr. Fry said that the developers have paid the fees and posted the bonds required for the access permit and expect to receive it any day. The County has already issued the building permits, and the County Planning Board will hold a hearing on the revised CSP at the end of January. Mr. Beall added that the north core developers are submitting proposed revisions to their site plan as part of the same package. It is proposed to realign the connector road in the north core so as to be able to access the FBI a larger parcel that better meets security requirements. It also realigns a hiker-biker trail to avoid traversing an environmentally sensitive area and the security buffer.

In response to CM Almoguera, Mr. Fry clarified that the revisions in the south core CSP reducing commercial space were requested because the south core is likely to be a viable retail site only if the north core is developed. Mr. Beall added that the north core, if developed, programs about 2.1 million square feet of commercial space and 2 million of mixed use, of which 100,000 square feet would be retail. He also noted that the General Services Administration (GSA) may select the site of the FBI in March. MPT Wilkinson said he heard from Congressman Steny Hoyer's office that the top 2 sites will be selected in March, with a final selection due until later this year.

Mayor Calvo asked the Council to take a position on the proposed CSP revisions. Personally, he supports all changes, with the exception of the reduction in retail space in the south core from 80,000 to 5,000 square feet. MPT Wilkinson said he regrets the elimination of the pedestrian Metro overpass from the south core to north College Park, which was requested by the City of College Park. Mayor Calvo noted that this will make it more difficult for children from the south core to reach a future station on the other side the tracks. It may mean that the children will end up at Berwyn Heights Elementary School since they would have to be bused at any rate. CM Murphy Eddy clarified that the Greenbelt Station sector plan does not propose a reduction in retail; it merely allows it if retail cannot be attracted by 2018. The sector plan also specifies that the remaining commercial space cannot be a gas station.

MPT Wilkinson moved and CM Almoguera seconded to send a letter of support for the proposed CSP revisions, with the exception of the steep reduction in retail space. The motion passed 5 to 0.

**FY 2015 budget goals and priorities:** Mayor Calvo said that he would like the Council to continue the conversation about budget priorities begun at the last worksession. MPT Wilkinson said most residents would support funding to reinstate the 8th officer. He also thought that adding playground equipment for older children at Pop's Park is desirable. CM Almoguera said there is very little room to add new equipment, and it would be expensive. However, it may be possible to move equipment to create space.

Mayor Calvo said he generally favors increasing support for the BHVFD but he does not have any specific ideas about how to best do that. CM Almoguera agreed that having a fire station in Town is of great value to the Town because it shortens response time for emergencies, and indirectly increases property values. Mayor Calvo is interested to learn if support for the BHVFD can be tied to the County tax differential, so that the Town would be reimbursed, at least in part, for additional expenses. TA Murphy was asked to look into it.

**Four Cities agenda:** The next Four Cities meeting will take place in College Park and feature UMD President Wallace Loh. Items proposed for the agenda include volunteer fire department issues, and follow up on the UMD faculty survey announced at the last meeting with President Loh.

## 2. CODE COMPLIANCE

**Code supervisor job description:** CM Kulpa-Eddy said she asked for the item to be added because she would like to keep the hiring of a new code supervisor confidential and move toward publishing a job announcement. She asked if TA Murphy has further information on combining the town administrator (TA) and code supervisor searches. TA Murphy replied that he negotiated the reduced price of \$12,000 for the code supervisor job search with the same search firm that would perform the administrator search, and he is working on producing a town administrator hiring blueprint. Since Mayor Calvo proposed to hire a code supervisor who is an assistant TA, the Council needs to make a decision which route to take.

Mayor Calvo said he believes that the Council should take this opportunity to restructure Town government by 1) giving the TA more control over day-to-day operations; and 2) re-integrating the Code Department with the Administration Department by creating a position for an assistant TA who would supervise the Department part-time. The person who oversees the Code Department would continue to give policy direction. He has thought about this deeply and increasingly believes it is in the Town's best long-term interest. It would better use the Town's limited staff resources, because it adds what the Council needs most: more administrative support to implement its policy agenda.

CM Kulpa-Eddy disagreed. She believes creating a TA/ code supervisor position would combine two very disparate jobs. This could fragment the work of the Department, and lead to more frequent breakdowns in communication. Conversely, a full time code supervisor would be able to patrol the Town and commercial district Monday - Friday and also perform daytime rental inspections. The part-time officer hours could then be cut back to cover weekend rental inspection patrols only.

CM Almoguera supported the creation of an assistant TA with code responsibilities. Communication breakdowns would likely be avoided if an assistant is on the job full time, even if dealing with code matters only part time. As she sees it, much of the work of the code supervisor is administrative in nature and similar to other responsibilities. CM Kulpa-Eddy replied she thinks there will be a problem with divided loyalties. A code director is also likely to have a different relationship with residents than a TA.

Mayor Calvo said when there is a difficult code issue, the TA gets involved as it is. His proposal tries to solve what he perceives to be the biggest problem, that is, to increase the TA's bandwidth so all the Council's priorities can be carried out. In his ten years as Mayor, he has come to the conclusion that the Town should move from running departments as independent fiefdoms, but instead should try to leverage synergies between departments. While Police and Public Works are specialty departments that should have their own hierarchy, the Code and Administration Departments have a lot of commonalities that would make it feasible and more efficient to combine certain functions.

CM Kulpa-Eddy said that she does not object to having a code supervisor report to the TA, but thinks a combined position would not produce the efficiency envisioned. Apart from that, it would be difficult to find a person who can adequately serve both departments for the salary the Town is able to pay.

Mayor Calvo said that the Council needs to get to a point where they agree on a common vision for restructuring the Town government. Then a plan can be adopted to execute the vision. Meanwhile, he would like TA Murphy to obtain a proposal for hiring a TA and an assistant TA/ code supervisor from the search firm he is working with.

Nothing was discussed under **3. Parks and Recreation** and **4. Public Safety**.

## 5. PUBLIC WORKS

**ATHA grant:** MPT Wilkinson said that the deadline for a letter of intent to apply for an Anacostia Trails Heritage Association (ATHA) grant is coming up on January 15. He would like to explore obtaining a grant to install signage for the Indian Creek hiker/ biker trail in Berwyn Heights. Mayor Calvo said he supports better signage for bike trails. He also would like to follow up on ATHA's promise to fund the Lake Artemesia concert. He noted that the Berwyn Heights Historical Committee (BHHC) is the Town's liaison to ATHA and should be able to advise on the grants. MPT Wilkinson said he will contact the BHHC officers and revisit the item at the next worksession.

## 6. ADMINISTRATION

**FY 2015 Budget:** TA Murphy distributed the FY 2013 Budget - Final Summary, including actuals going back to FY 2008.

**Personnel Manual:** CM Almoguera explained that she reviewed a number of personnel manuals from other Maryland municipalities as preparation for revising the Berwyn Heights manual. The Town of Smithsburg's manual would be a good model. The purpose of the rewrite is to ensure the manual is up-to-date and to make it more user friendly. The parts most in need of updating are the table of contents, which should be more detailed, and the overall organization, to make the manual flow better. She has started to work on a draft manual, using an MML checklist of topics that should be covered in a personnel manual. She plans to populate the manual with topics from Berwyn Heights' manual or from other manuals, if the topic is better explained elsewhere.

Mayor Calvo said he would choose a good template and import the good parts from the Berwyn Heights manual, rather than retaining the Berwyn Heights template and replacing the sections that are inadequate. CM Almoguera replied this is pretty much her approach. Mayor Calvo said that he is comfortable with that. He would also like her to highlight any issues that require policy input from the Council. He suggested that CM Almoguera continue to work on the manual and present a comprehensive draft for discussion at the next worksession.

MPT Wilkinson added the manual should also include policies on whistle-blower protection and records retention required under the Sarbanes/Oxley Tax Act. He would like more information on what College Park's manual includes under the topic of "city property and equipment."

**Bulletin cover:** The following items were selected for the February Bulletin cover: Presidents' Day theme; headlines for Town Council election and BHHC President's Day reception; jumps for budget requests, holiday trash collection and Boys & Girls Club registrations.

The meeting was adjourned at 10:43 p.m.

Signed: **Kerstin Harper, Town Clerk**